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DEVELOPMENT AND PROMOTION OF MORE EFFECTIVE ACTION AGAINST ILLICIT DRUG TRAFFICKING THROUGH REGIONAL CO-OPERATION IN DRUG LAW ENFORCEMENT

Report of the Third Meeting of Heads of National Drug Law Enforcement Agencies, Latin America and the Caribbean, held at Oranjestad, Aruba, from 24 to 28 September 1990

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I. MATTERS CALLING FOR ACTION BY THE COMMISSION ON NARCOTIC DRUGS OR BROUGHT TO ITS ATTENTION

A. Draft resolutions to be recommended by the Commission on Narcotic Drugs for adoption by the Economic and Social Council

1. The Third Meeting of Heads of National Drug Law Enforcement Agencies (HONLEA), Latin America and the Caribbean, recommends to the Commission on Narcotic Drugs the approval of the following draft resolutions for adoption by the Economic and Social Council:

DRAFT RESOLUTION I

Establishment of subregional drug law enforcement training centres

The Commission on Narcotic Drugs

Recommends to the Economic and Social Council the adoption of the following draft resolution:

"The Economic and Social Council,

"Recalling its resolution 1988/12 of 25 May 1988, in which it requested the Division of Narcotic Drugs of the United Nations Secretariat, in co-operation with the International Criminal Police Organization, the Customs Co-operation Council, other interested organizations and Member States, to establish a long-term international training strategy for drug law enforcement,

"Mindful of the urgent need to establish a drug law enforcement training strategy suited to the Latin America and Caribbean region and subregions,

"Mindful also of the urgent need to secure adequate training facilities and services, to enhance the capacity of personnel and, in general, to upgrade the response of Latin America and Caribbean drug law enforcement agencies and to improve countermeasures,

"Drawing special attention to the variety of language groups within the region, as well as to the urgent need for those groups to combat the drug problem together,

"Recognizing the important advisory role that experienced and well-equipped drug law enforcement agencies and institutions in the region could play in carrying out training activities throughout the region,

"1. Recommends the establishment, within established law enforcement training schools that already possess adequate facilities, of subregional drug law enforcement training centres to provide such training in all the languages of the region;

"2. Invites the Division of Narcotic Drugs to convene a working group, to include countries of the region representing the main language groups, other international or regional organizations

concerned with drug law enforcement training in the region and donor countries supporting such training in the region, for the purpose of defining a clear training strategy, which should include recommendations for the establishment of subregional drug law enforcement training centres;

"3. Invites the Division of Narcotic Drugs and the United Nations Fund for Drug Abuse Control to develop and co-ordinate the above-mentioned subregional training activities, in close co-operation with the International Criminal Police Organization and the Customs Co-operation Council;

"4. Invites States and the United Nations to support such training activities as much as is possible, in particular by providing human and financial resources."

DRAFT RESOLUTION II

Control of chemicals used in the production of cocaine, heroin and other clandestinely produced drugs

The Commission on Narcotic Drugs

Recommends to the Economic and Social Council the adoption of the following draft resolution:

"The Economic and Social Council,

"Aware that chemicals are critical in the processing of illicit drugs, that chemicals produced world-wide are shipped to Latin America and that a large percentage of these chemicals is being diverted to the drug cartels,

"Welcoming the escalated effort of Latin American countries to restrict the import, export and production of chemicals, as demonstrated by the recommendations contained in the model regulations to control chemicals and other materials used in the processing of cocaine and other illicit drugs, 1/ adopted by the General Assembly of the Organization of American States in June 1990,

"Noting that six Latin American nations are currently adopting the said model regulations for their legislation and that other nations are considering similar action,

"Recognizing the importance of controlling the export of these chemicals, as illustrated by the fact that the issue of chemical control was raised at the drug summit held at Cartagena, Colombia, in February 1990, and at the economic summit held at Houston, United States of America, in July 1990,

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1/ RM/NARCO/doc.18/90 rev.1, issued by the General Secretariat of the Organization of American States.

"Considering that the United Nations Convention against Illicit Traffic in Narcotic Drugs and Psychotropic Substances, adopted by a conference of plenipotentiaries convened by the United Nations at Vienna from 25 November to 20 December 1988, 2/ is specifically addressed to chemical control, and that this Convention enters into force in November 1990,

"Noting that the United States of America took positive action in 1988 by promulgating the Chemical Diversion and Trafficking Act, which gives its Drug Enforcement Administration the authority to stop shipments of chemicals not destined for legitimate industrial, commercial or scientific use,

"Convinced that it is vital to the world-wide anti-drug-abuse effort that chemicals used to process illicit drugs are controlled and monitored at the source and the destination, and that the resulting information is communicated to the competent authorities of the country concerned,

"Bearing in mind the fact that the Council of Ministers of the European Communities is currently considering a draft directive for the control of chemicals, which, if adopted, will be the standard for each member State of the European Communities for use as its domestic chemical control legislation,

"Wishing to ensure that measures to control precursor chemicals are both specific and comprehensive in designating the chemicals subject to monitoring and control, including for example 2-butanone (methyl ethyl ketone) and potassium permanganate,

"1. Urges all Governments that have not approved legislation for the control and monitoring of precursors and essential chemicals to do so as soon as possible, using as one of their references the model regulations 1/ adopted by the Organization of American States to control precursors and chemical substances, machines and materials used in the production of cocaine, heroin and other clandestinely produced drugs;

"2. Urges the main producers of precursors and essential chemicals in Europe and elsewhere to work with the Heads of National Drug Law Enforcement Agencies and the International Narcotics Control Board to draft and enact suitably comprehensive laws taking into account the model regulations adopted by the Organization of American States;

"3. Requests the United Nations and the competent regional and interregional organizations to make available the funds and support required for the provision of training in the application of

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1/ RM/NARCO/doc.18/90 rev.1, issued by the General Secretariat of the Organization of American States.

2/ E/CONF.82/15 and Corr.2.

regulations for the control and monitoring of precursors and essential chemicals, as well as the resources required in order to establish specialized offices in that field."

B. Draft resolutions for adoption by the Commission on Narcotic Drugs

2. The Third Meeting of Heads of National Drug Law Enforcement Agencies, Latin America and the Caribbean, recommends to the Commission on Narcotic Drugs the adoption of the following draft resolutions:

DRAFT RESOLUTION I

Establishment and funding of a Latin American and Caribbean region liaison officer for matters concerning the Heads of National Drug Law Enforcement Agencies

The Commission on Narcotic Drugs,

Referring to the proposal by Bolivia, supported by the Third Meeting of Heads of National Drug Law Enforcement Agencies, Latin America and the Caribbean, for the establishment of a committee, to be composed of the Bureau elected at that Meeting, to follow up progress and action on the recommendations and resolutions of the Meeting,

Recognizing the role of the various drug control bodies of the United Nations in convening meetings of Heads of National Drug Law Enforcement Agencies and supporting and funding many activities to combat the drug problem in the Latin American and Caribbean region,

Aware of the absence of regular budget funds within those United Nations bodies to support staffing levels commensurate with the demands made upon them,

Noting the determination of the General Assembly at its seventeenth special session, devoted to the question of international co-operation against illicit production, supply, demand, trafficking and distribution of narcotic drugs and psychotropic substances, expressed in the Global Programme of Action, to accord, within the United Nations system, a higher priority to the allocation of the necessary financial, personnel and other resources, 1/

Recognizing the benefits that can result from carefully planned regional meetings that identify operational law enforcement problems, seek solutions and encourage a shared regional and international responsibility for implementing those solutions,

1. Urges the Secretary-General to allocate resources to permit the appointment of a regional liaison officer for Latin America and the Caribbean, to be based in the Division of Narcotic Drugs at Vienna and closely involved in the organization of regional meetings of Heads of National Drug Law Enforcement Agencies, in order to provide a full-time link between the countries of the region and all international, regional and subregional organizations active in the region;

1/ See General Assembly resolution S-17/2, annex, para. 7.

2. Requests that consideration be given to assigning priority to the establishment of this post for Latin America and the Caribbean, in view of the magnitude and complexity of the drug-related problem in this region.

DRAFT RESOLUTION II

Establishment of national drug co-ordinating units

The Commission on Narcotic Drugs,

Aware of the importance of national drug co-ordinating units in the fight against illicit trafficking and drug abuse,

Recognizing that the need for direction and support of these units at the political level is essential to their success,

Referring to the international drug control treaties and to recommendation 4, 1/ adopted by the Second Interregional Meeting of Heads of National Drug Law Enforcement Agencies, held at Vienna from 11 to 15 September 1989,

Recommends:

(a) That each Government in Latin America and the Caribbean that has not yet done so should take the necessary measures to set up a national drug intelligence unit as a basis for co-ordinating operations;

(b) That the co-ordinating units should be provided with adequate resources to function efficiently;

(c) That persons appointed to work in the co-ordinating units should be carefully selected and should remain in their posts as long as necessary in order to ensure continuity;

(d) That periodic consultations or annual meetings should be organized between the co-ordinating units at the subregional level;

(e) That international assistance should be provided to Governments, at their request, in setting up the co-ordinating units in order to harmonize their mandates, scope of operations, terms of reference and objectives;

(f) That each country in Latin America and the Caribbean should give the relevant United Nations drug control bodies details of the structure of their national co-ordinating units, including the names of current incumbents and the necessary contact data, for circulation to international agencies or organizations.

1/ E/CN.7/1990/2, chap. I, resolution III, para. 7.

DRAFT RESOLUTION III

Appointment of a standing committee of Member States responsible for following up the resolutions and recommendations approved by the Heads of National Drug Law Enforcement Agencies

The Commission on Narcotic Drugs,

Aware that the world-wide problem of illicit traffic in narcotic drugs and psychotropic substances, including their production and illicit use, as well as the diversion of chemical precursors for their production, continues to have devastating consequences for individuals and States,

Noting with satisfaction that the approval of the United Nations Convention against Illicit Traffic in Narcotic Drugs and Psychotropic Substances reflects the political will of nations to combat the drug scourge,

Bearing in mind that the various meetings of Heads of National Drug Law Enforcement Agencies have approved high-priority resolutions, decisions and recommendations aimed at helping to eliminate the causes of the problem of narcotic drug abuse,

Bearing in mind also the need to ensure implementation of the recommendations and resolutions adopted at the various meetings of Heads of National Drug Law Enforcement Agencies,

1. Decides to establish a standing committee, composed of the Bureau of the Heads of National Drug Law Enforcement Agencies, Latin America and the Caribbean, which shall, with the co-operation of the Secretariat, ensure appropriate follow-up of the application and implementation by Governments of the resolutions, recommendations and decisions adopted by the Heads of National Drug Law Enforcement Agencies and report thereon to each of the meetings;

2. Further decides that, without any financial implications for the United Nations, delegations involved in the sponsorship of the said resolutions and recommendations shall be entitled to sit on the committee.

C. Venue of future meetings of Heads of National Drug Law Enforcement Agencies, Latin America and the Caribbean

3. The representative of Bolivia confirmed the offer made by his Government at the Second Meeting of Heads of National Drug Law Enforcement Agencies, Latin America and the Caribbean, at Lima, to act as host to the Fourth Meeting, to be held at Santa Cruz de la Sierra in the first half of October 1991. The offer was accepted.

4. The representative of Mexico informed the Meeting of his Government's willingness to act as host to the Fifth Meeting, which, in accordance with Economic and Social Council resolution 1988/15 stipulating that no regional meetings of Heads of National Drug Law Enforcement Agencies (HONLEA) be held in the same year as an interregional meeting, was to take place in 1993. That offer was also accepted.

5. The representative of Cuba stated that his Government would be prepared to act as host to the Sixth Meeting, to be held in 1994.

D. Resolution adopted by the Third Meeting of Heads of National Drug Law Enforcement Agencies, Latin America and the Caribbean

6. The Third Meeting of Heads of National Drug Law Enforcement Agencies, Latin America and the Caribbean, adopted the following resolution:

Regional and interregional co-operation

The Third Meeting of Heads of National Drug Law Enforcement Agencies, Latin America and the Caribbean,

Noting with great satisfaction the Political Declaration and the Global Programme of Action 1/ adopted by the General Assembly at its seventeenth special session, devoted to the question of international co-operation against illicit production, supply, demand, trafficking and distribution of narcotic drugs and psychotropic substances, which reflects the degree of concern about the subject that is felt throughout the world,

Expresses its gratitude for the work done and the support given by the Division of Narcotic Drugs, on the initiative and with the encouragement of its Director, in activating the establishment of a world-wide network of regional and interregional co-operation facilities for assisting States in preventing and countering illicit traffic and the abuse of drugs at a more effective universal level.

7. The Commission may wish to take note of the decision of working group II, on illicit traffic in cannabis, in which the Commission of Narcotic Drugs was urged to step up its work on cannabis. This, and related matters, are fully dealt with in chapter II, section B, below.

II. CONSIDERATION OF URGENT MATTERS OR SPECIFIC TOPICS BY SUBREGIONAL OR AD HOC WORKING GROUPS

8. The Third Meeting of Heads of National Drug Law Enforcement Agencies, Latin America and the Caribbean, decided, under agenda item 3, to consider a number of specialized topics in separate working groups, in order to permit in-depth discussion and to encourage a frank exchange of information and opinions. Following their deliberations on the nature and extent of each of the issues and the most effective manner of dealing with them, the working groups presented their conclusions and practical recommendations to the meeting for consideration. The meeting adopted all the recommendations. Topics selected on the basis of the interest expressed by the participants were:

(a) Illicit traffic in cocaine: the latest situation; likely developments in 1991;

(b) Illicit traffic in cannabis: the latest situation; likely developments in 1991;

(c) Co-ordination at the national level: problems and advantages of setting up a national co-ordination unit;

1/ General Assembly resolution S-17/2, annex.

(d) Control of precursors and essential chemicals: the problems and how to overcome them;

(e) Setting up of national intelligence units: units at the national or regional levels; advantages and disadvantages; steps to be taken in setting up a unit;

(f) Tracing of assets and measures to counter money laundering: how to begin and how to achieve more effective results;

(g) Co-operating informants.

A. Working group I: Illicit traffic in cocaine

9. Working group I drew conclusions and made recommendations under two headings: (a) the general nature of cocaine traffic problems; and (b) operational law enforcement considerations.

1. General nature of the problem of illicit traffic in cocaine

10. Given that the different phases and aspects of the problem of illicit traffic in narcotic drugs was the responsibility of all countries, the working group welcomed the fact that the international community had taken a comprehensive approach to the problem.

11. That approach embraced various political, social, economic and cultural factors, which, in turn, called for specific solutions commensurate with the complexity of the problem.

12. It was apparent that, despite national and international efforts, the illicit traffic in narcotic drugs was expanding. That conclusion was based on the following factors:

(a) A relocation of bases of operations as a result of the opening of new routes and new markets and the use of sophisticated refining processes;

(b) Conclusive evidence that transport mechanisms and systems were being used for illicit traffic, particularly by sea;

(c) Emergence of the mobile system, using portable laboratories, as a means of eluding police raids;

(d) Evidence of cocaine paste being exported to the consumption markets, which suggested that new laboratories had been set up to refine it.

13. New bases of operations had emerged in the narcotic drug traffic cycle, comprising territories in which large quantities of drugs that had already been processed were deposited for storage and subsequent distribution in smaller quantities to the consumer countries.

14. Programmes for the eradication of illicit cultivation needed to include socio-economic projects, which would provide new sources of subsistence for the populations involved in producing coca, and an integrated approach must be taken that did not consist solely of interdiction programmes.

15. On the basis of its discussions, the working group agreed the following draft recommendations for submission to the plenary:

(a) Governments should be alerted to the need to intensify bilateral and multilateral interdiction operations in frontier areas, with a view to combating illicit drug traffic more effectively;

(b) National juridical arrangements needed to be strengthened and made commensurate with the seriousness and complexity of the illicit drug traffic phenomenon in order to neutralize the new forms illicit traffic was assuming;

(c) The systems for the exchange of information and intelligence among the countries in Latin America and the Caribbean needed to be improved in order to counter the increase in illicit traffic, particularly through ports and airports;

(d) Support needed to be given to policies for the eradication of illicit coca crops, crop substitution programmes and alternative development programmes, since those policies highlighted the strengthening of economic and social plans, as well as of investment programmes involving the participation of multilateral organizations and Governments of developed countries, with a view to promoting viable economic conditions capable of ensuring their success;

(e) The prevention programmes of agencies engaged in combating illicit narcotics traffic and drug abuse needed to be stepped up, paying special attention to education as a means of discouraging drug use;

(f) The United Nations Secretariat should be requested to establish a follow-up standing committee, composed of members of the Bureau of HONLEA, to promote the implementation of the agreements reached at HONLEA meetings. For the text of the proposal to be submitted to the Commission on Narcotic Drugs, see chapter I, section B, draft resolution III.

(b) Operational law enforcement considerations

16. The working group also examined operational law enforcement considerations, including law enforcement techniques, airdrops, the monitoring of movements of sailing vessels and aircraft and regional liaison.

17. The working group recognized the value, in particular, of "controlled delivery" as an effective method for identifying and dismantling drug trafficking networks and noted that article 11 of the United Nations Convention against Illicit Traffic in Narcotic Drugs and Psychotropic Substances (E/CONF.82/15 and Corr.2), adopted by a conference of plenipotentiaries convened by the United Nations at Vienna from 25 November to 20 December 1988, provided for, and encouraged, the use of that technique. Participants urged all countries in the Caribbean and Latin American region to examine existing legislation and, where appropriate, take steps to amend it to conform to the provisions of that Convention and thus to facilitate the use of controlled delivery and encouraged all countries that already permitted controlled delivery to review and improve their procedures to ensure that decisions to authorize controlled delivery were made promptly.

18. The working group expressed concern about the continuing and increasing use by traffickers of airdrops of illicit drugs in Caribbean waters and noted also that, as surveillance and enforcement measures on the direct trafficking

routes across the Caribbean were strengthened, trafficking was being deviated to the Eastern Caribbean. Participants recommended that in developing interdiction strategies to deal with the problem, law enforcement authorities should pay particular attention to the need for effective measures to apprehend the pilots of aircraft and the personnel on boats involved in airdrops and transport of illicit drugs. In addition, they recommended that arrangements for custody and prosecution of those involved in trafficking should be reviewed and strengthened.

19. In the light of recent evidence of the increasing use of yachts and pleasure boats, as well as aircraft, for the transport and trafficking of drugs from and through Latin America and the Caribbean region, the working group stressed the need for efficient gathering and circulation of information on the identity and movement of such sailing vessels and aircraft. They underlined the importance of making full use of the Joint Information and Co-ordination Centre/El Paso Intelligence Centre (JICC/EPIC) system for that purpose, and urged the Governments and law enforcement agencies of all countries in the region to review and, where possible, strengthen their involvement in that system. They identified the need for the development, both within individual countries in the region and in the JICC/EPIC framework, of systems for analysis and for the production of profiles, to enable law enforcement agencies to target suspect ships and aircraft more effectively. The value of the United Nations Fund for Drug Abuse Control/International Criminal Police Organization (ICPO/Interpol) secure communication system in facilitating rapid contact between the countries in the region was acknowledged. It was recommended that the arrangements for use of that system in each country be closely examined as a matter of urgency in order to ensure that the communication system was readily accessible to those agencies responsible for drug law enforcement.

20. Recognizing the particular operational tasks and difficulties that law enforcement agencies in the Caribbean islands were encountering in anti-narcotic work, and the value of close liaison between those directly engaged in drug law enforcement in each island territory, the working group endorsed the recommendation made at the Caribbean Drugs Training Co-ordination Group Meeting, held at Kingston in 1989, that there should be periodic meetings of senior regional law enforcement officers responsible for drug intelligence. Participants decided to recommend to their Governments that such regional meetings within the Caribbean be arranged, with the support and participation as appropriate of relevant regional and international organizations, as a complement to the existing contacts between the Caribbean and Latin American countries at HONLEA meetings and elsewhere.

B. Working group II: Illicit traffic in cannabis

21. Working group II, on the basis of statements made and of specific proposals submitted by various delegations, agreed that there was a difference in the treatment of cannabis compared with other drugs of abuse and the substances used to manufacture them. Because of the damage caused by the use and abuse of cannabis, co-operation was needed among countries, as was a sustained campaign against the sowing and cultivation of cannabis. They recognized that cannabis crops were being found in increasingly large numbers in non-traditional places and that the developing countries needed financial assistance for crop substitution programmes. The importance of exchanging information between intelligence services and of providing the personnel with adequate training and equipment was stressed.

22. The working group agreed to submit to the plenary meeting the following recommendations:

(a) Adequate priority should be assigned at the international level to the problem of cannabis production, trafficking and use;

(b) The work of the Commission on Narcotic Drugs on cannabis should be stepped up;

(c) Programmes to promote awareness of the damage caused by the use and abuse of this drug, as well as programmes for the rehabilitation of addicts, should be strengthened;

(d) All countries should consider the possibility of working together, with full respect for the sovereignty, territorial integrity and legislation of each country, on effecting controlled deliveries of cannabis and other drugs, with a view to apprehending not only the courier but also the other syndicate members responsible for organizing the importation or benefiting from the profits it might generate;

(e) A sustained campaign should be conducted against the sowing and cultivation of cannabis, accompanied by a monitoring of changes in the production structure in order that each country might make the efforts required to eradicate it;

(f) There should be greater international co-operation with respect to financial assistance for crop substitution programmes.

23. The following recommendations were also proposed, not specifically for cannabis but for other types of drugs as well:

(a) Bilateral agreements should be signed, within the framework of the United Nations Convention against Illicit Traffic in Narcotics and Psychotropic Substances (E/CONF.82/15 and Corr.2), on co-operation in combating the illicit traffic in narcotic drugs;

(b) An adequate exchange of information should be developed so as to strengthen intelligence mechanisms for identifying narcotic drug traffickers;

(c) Adequate training and equipment should be provided for those assigned to the task of combating the illicit traffic in narcotic drugs.

C. Working group III: Co-ordination at the national level

24. Working group III approved a draft resolution for submission to the plenary on the establishment of national drug co-ordinating units. For the text, see chapter I, section B, draft resolution II.

D. Working group IV: Control of precursors and essential chemicals

25. Working group IV discussed and agreed on the text of two draft resolutions, which were approved by the plenary for submission to the Commission on Narcotic Drugs on the control of chemicals used in the production of cocaine, heroin and other clandestinely produced drugs. For the texts, see chapter I, section A, draft resolution II, and section B, draft resolution III.

26. The working group recognized the importance of holding an international conference on the control of precursors and other chemicals used in the illicit production of narcotic drugs, and expressed its support for Bolivia's initiative with respect to the holding of such a conference in January 1991.

E. Working group V: Setting-up of national intelligence units

27. Working group V approved the text of the following draft recommendations for submission to the plenary:

(a) All countries represented should treat as a priority the setting-up of drug intelligence units on the basis of a co-ordinated, multi-agency approach, thereby involving all those agencies and groups engaged in investigating drug trafficking and related criminal activities;

(b) In considering the setting-up of a national drug intelligence unit, those charged with the responsibility for it should seek a commitment from the relevant agencies to participate fully and accept the concept of a national co-ordinating drug intelligence unit;

(c) Recognition should be accorded to the fact that drug trafficking, unlawful use of firearms, fraud and indeed crime in general were linked and that drug-related intelligence should be integrated with other criminal intelligence where appropriate;

(d) In considering the setting-up of a national drug intelligence unit, recognition should be given to the financial and resource implications in the areas of manpower, equipment and training;

(e) All the countries represented should accept the principle that reliable intelligence was fundamental to successful drug trafficking investigation and should commit themselves to promoting national, regional and international exchanges of intelligence.

F. Working group VI: Tracing of assets and measures to counter money laundering

28. Working group VI recognized the importance of attacking the finances of the drug barons. This was accepted as one of the best ways to succeed in the battle against them. As a result of the discussions, the working group submitted for consideration by the plenary the following draft recommendations:

(a) Any country that had not ratified or acceded to the United Nations Convention against Illicit Trafficking in Narcotics and Psychotropic Substances (E/CONF.82/15 and Corr.2) should do so as soon as possible. Particular attention was drawn to the relevance of:

Article 3, paragraph 1 (b) (i) and (ii) (money laundering);

Article 5, paragraph 7 (reversal of the onus of proof whenever the laws of the country allow);

Article 6 (extradition of money launderers);

Article 7, paragraph 8 (mutual legal assistance);

(b) Each of the countries of the region should actively consider arranging specialized training in ways of countering money laundering within the next 12 months, and countries with experience in that field should examine the possibility of offering assistance with such training;

(c) All countries of the region should consider concluding bilateral or multilateral treaties so as to ensure the exchange of information on international money launderers;

(d) The bank secrecy laws should be eliminated in such matters as drug trafficking, terrorism and other non-fiscal crime whenever allowed by the laws of the country;

(e) Banks should not be the only subjects of anti-laundering legislation; it should also apply to professionals such as brokers, accountants, attorneys and other persons or financial institutions handling funds or property resulting from laundering.

G. Working group VII: Co-operating informants

29. The frequent expressions of solidarity by the public in all countries, including the mass media, with the agencies responsible for eradicating the illicit traffic in narcotic drugs and psychotropic substances and the laundering of the enormous profits it yields were seen to be an indication of public alarm at the magnitude of the problem.

30. There were, however, very few specific cases of such crimes being reported to the police, no doubt because of their special nature and the fear of reprisals. Persons implicated in them nevertheless frequently collaborated actively with the competent authorities, providing information that was of value to law enforcers, and they deserved to be given credit for that in terms of their criminal liability.

31. On the basis of its discussions, the working group submitted for consideration of the plenary the following draft recommendations:

(a) States whose domestic legislation did not already include provisions to that effect might wish to consider incorporating in it the possibility of mitigating penalties and even, in certain circumstances, waiving them completely in the case of individuals accused before the courts who, on their own initiative, provided information leading to substantial seizures of narcotic drugs or psychotropic substances, the breaking up of the organized crime networks involved and the identification of the financial laundering circuits, thus helping to prevent the commission of further crimes;

(b) Where domestic legislation so permitted, such provisions should also be made available in cases where the information led to the same result in a country or countries other than the State in which the informant had been detained.

III. TRAINING IN LATIN AMERICA AND THE CARIBBEAN: PRIORITIES, FACILITIES AND MODALITIES

32. In the course of the Meeting's consideration of agenda item 3, a description was given of the current training activities of the Division of Narcotic

Drugs, undertaken despite the absence of training posts funded from the regular budget.

33. Since the seventeenth special session of the General Assembly in February 1990, in line with paragraphs 59 and 81 of the Global Programme of Action (see General Assembly resolution S-17/2, annex), the Division of Narcotic Drugs, with the secretariat of the International Narcotics Control Board (INCB) and the United Nations Fund for Drug Abuse Control, had convened a working party with ICPO/Interpol and the Customs Co-operation Council (CCC). Two meetings had been held to draw up a common training strategy for the three organizations.

34. The proposed strategy would include the establishment of a central information bank for drug training matters, to be housed in the Division of Narcotic Drugs, an agreed policy to concentrate on training potential trainers and a requirement for trainees to remain in the post or role for which they had been trained for a period of from two to three years. Other elements included inviting the participation of other international and regional organizations and donor countries, as well as ensuring close evaluation of the results achieved.

35. Several speakers mentioned the urgent need for training centres within the region to provide, in the various languages of the region, drug law enforcement training for countries without established facilities. There were currently no drug control training courses in English in the Caribbean.

36. The observer for the United Nations Fund for Drug Abuse Control stated that the Fund provided training assistance as part of a law enforcement package, which in turn was usually part of a national drug abuse control programme in developing countries. In short, it tended not to look at training in isolation. The observer stressed that, because of that approach, the availability of funds for regional training programmes was extremely limited. The problem was trying to assess what regional programme should be financed. The Fund received requests from organizations such as the Inter-American Drug Abuse Control Commission (CICAD), ICPO/Interpol and CCC and from the Division of Narcotic Drugs, but had little data to establish whether such requests complemented existing bilateral and multilateral programmes or any assurance that such requests did not duplicate existing programmes.

37. Attention was drawn to the availability of courses in Spanish in Latin America. Several speakers supported the concept of "training trainers", together with that of a common training strategy to be applied by all organizations and donors involved.

38. One speaker suggested that, while training in separate languages was essential, it should not be allowed to jeopardize closer working relations among all countries of the region. Specific training courses to promote better co-operation and understanding across language barriers should be designed.

39. Several speakers linked the fulfilment of the training needs of the region with the proposed role within the Division of Narcotic Drugs of a regional liaison officer for matters relating to HONLEA.

40. Wide support was expressed for the convening of a working meeting to consider further the selection of regional centres for training in drug law enforcement, enlisting the countries of the region in that process.

41. The Division's training programmes and facilities focusing on the identification of drugs of abuse were described, as well as other activities and achievements of its specialized laboratory. Three-month training courses were held at Vienna several times a year. A training centre for laboratory analysis had been established to serve the needs of the region at Buenos Aires. It was recalled that the Division had been providing field drug identification kits, which had proved of practical value to drug law enforcement personnel. In addition to training assistance, the Division was also able to respond to requests for books, material and standard reference samples of drugs under international control.

IV. ACTIVITIES BY UNITED NATIONS PROGRAMMES AND ENTITIES, SPECIALIZED AGENCIES AND INTERGOVERNMENTAL ORGANIZATIONS IN THE REGION

42. For its consideration of agenda item 5 on activities by United Nations programmes and entities, specialized agencies and intergovernmental organizations in the region, the Meeting had before it a background document (DND/HONLAC/1990/2). The text of General Assembly resolution S-17/2, containing the Political Declaration and the Global Programme of Action was also circulated.

43. Statements were made by representatives of the Division of Narcotic Drugs, and by observers for the United Nations Fund for Drug Abuse Control, INCB and ICPO/Interpol, outlining their respective activities.

44. The Director of the Division of Narcotic Drugs reviewed the work, objectives and organization of the Division. It was pointed out that the Division acted as the secretariat for the Commission on Narcotic Drugs, the major United Nations policy-making body on drug abuse control matters, which was a subsidiary body of the Economic and Social Council. Of its current membership of 40, the following States from Latin America and the Caribbean were members of the Commission: Bahamas, Bolivia, Brazil, Colombia, Ecuador, Mexico and Peru.

45. The Division of Narcotic Drugs also served as secretariat for the subsidiary bodies of the Commission, which together constituted a global network of mechanisms for the co-ordination of Member States' activities at the regional and interregional levels against illicit traffic in narcotic drugs and psychotropic substances. The regional mechanisms were the Sub-Commission on Illicit Drug Traffic and Related Matters in the Near and Middle East, and the regional meetings of HONLEA for Africa, for Asia and the Pacific, for Europe and for Latin America and the Caribbean.

46. The Division also performed a variety of other functions deriving from the international drug control treaties and specific mandates of the General Assembly, the Economic and Social Council and the Commission.

47. The regional meetings of HONLEA, encompassing all the regions of the world, had been recognized as a medium for strengthening co-operation and co-ordination of activities to suppress illicit traffic at the regional and

interregional levels. The meetings of HONLEA had become the primary vehicle for regional co-ordination of activities between law enforcement agencies in the fight against illicit traffic. It was increasingly being recognized that the co-ordination of activities to meet the different needs of the various regions could best be effected in close conjunction with Member States.

48. The observer for the United Nations Fund for Drug Abuse Control reported that the Fund had adopted an integrated policy to reduce the supply, demand and traffic of illicit drugs, law enforcement being one of the three areas of its activities. He outlined law enforcement assistance in Latin America and the Caribbean, including improved communications facilities, construction of special buildings and support for specialized training.

49. The observer for INCB outlined the objectives and responsibilities of the Board, composed of 13 members elected in their personal capacity by the Economic and Social Council. He noted that the United Nations Convention against Illicit Traffic in Narcotic Drugs and Psychotropic Substances had added to the Board's responsibilities in respect of the control of precursors and essential chemicals.

50. The observer for ICPO/Interpol affirmed that Organization's commitment to international law enforcement efforts, with particular reference to the Caribbean. He made a number of observations and suggestions relating to the solution of problems that arose with telecommunication systems. He extended an invitation for participants to visit the Organization's new headquarters at Lyon.

51. An information document prepared by the secretariat of CICAD was circulated at the Meeting. In it the current membership of CICAD was listed, as follows: Antigua and Barbuda, Argentina, Bahamas, Bolivia, Brazil, Chile, Colombia, Costa Rica, Dominican Republic, Ecuador, Guatemala, Jamaica, Mexico, Nicaragua, Panama, Paraguay, Peru, United States of America, Uruguay and Venezuela. Priority problem areas, policy framework and programme budgets were also outlined.

52. Several representatives commented on the work of the various international entities. A number of them had provided the Secretariat with written reports or plans to illustrate co-operative action being undertaken or envisaged in respect of drug law enforcement.

53. Attention was drawn by one speaker to the necessity of ensuring that actions emanating from resolutions of the working group were monitored. To the proposal that the Bureau of the Third Meeting of Heads of National Drug Law Enforcement Agencies, Latin America and the Caribbean, should constitute a monitoring committee, a further proposal was made suggesting that one post in the Division of Narcotic Drugs should be devoted to Latin American and Caribbean matters relating to the HONLEA system. The Director of the Division explained that with present resources that would not be possible. Additional posts were being sought from the General Assembly in the context of the Contingency Fund in order to perform the new tasks entrusted to the Division in the Global Programme of Action (see General Assembly resolution S-17/2, annex) and the United Nations System-Wide Action Plan on drug abuse control, called for by the General Assembly in its resolution 44/141. To obtain resources, the Division needed, as a first step, a clear mandate from the governing bodies.

54. One representative also outlined the difficulties his country was encountering, given the lack of adequate funding to sustain the level of effort needed to combat the drug scourge.

55. The Meeting expressed interest in the idea of establishing a follow-up committee, composed of the Bureau, to monitor the appropriate implementation of the recommendations adopted by the Third Meeting of Heads of National Drug Law Enforcement Agencies, Latin America and the Caribbean. (See chapter I, section B, draft resolution III.)

V. PROGRESS REPORT ON STEPS TAKEN TO APPLY PROVISIONALLY, RATIFY OR ACCEDE TO THE UNITED NATIONS CONVENTION AGAINST ILLICIT TRAFFIC IN NARCOTIC DRUGS AND PSYCHOTROPIC SUBSTANCES, AS WELL AS THE HARMONIZATION OF NATIONAL LEGISLATION WITH THE PROVISIONS OF THE CONVENTION

56. For its consideration of agenda item 6, the Meeting had before it a document prepared by the Secretariat on the application of the United Nations Convention against Illicit Traffic in Narcotic Drugs and Psychotropic Substances (DND/HONLAC/1990/3). A list reporting on the status of adherence by State parties to the major international drug control treaties was also distributed.

57. Introducing the item, the Director of the Division of Narcotic Drugs expressed his satisfaction at the fact that the Convention would enter into force on 11 November 1990, the date on which the requisite 90 days would have elapsed since the deposit by Spain of the twentieth instrument of ratification on 13 August 1990.

58. Of the 25 States that had already become parties to the Convention, 10 were represented at the current Meeting.

59. It would be highly desirable for participants from all countries that had not ratified the Convention to activate the procedures for ensuring the deposit by their respective countries of the necessary instruments of ratification or accession with the Secretary-General.

60. The Division intended to convene a meeting of States parties to the Convention shortly after its entry into force. In principle, the meeting was scheduled to be held in December 1990 at Vienna. It would consider the best ways of facilitating implementation of the measures provided for in the Convention, as well as of establishing mechanisms for contact between the various States parties to facilitate the unimpeded provision of mutual judicial and legal assistance. The Division had been able to provide legal advice to countries that had requested it on the matter of amending their legislations in order to bring them into line with the measures of the Convention, and also on the procedures to be followed for depositing instruments of ratification or accession.

61. In the discussion of that topic, several States parties (Bolivia, Chile, Ecuador, Mexico, Spain and the United States of America) urged countries that had not yet done so to ratify the Convention as soon as possible and stated that they were in the process of adopting bilateral agreements in order to facilitate compliance with its measures.

62. Others (Argentina, Brazil, Cuba, Peru and Venezuela) reported that they would soon be able to ratify the Convention because the draft legislation for bringing their respective legal systems into line with it had already been discussed in their congresses. Some other States cited later dates, up to the second half of 1991.

63. One representative expressed the hope that the Convention would soon be ratified by the "consumer" countries. Another representative remarked that the question of differences between "producer" and "consumer" countries had already been settled during the preparatory work period, which had culminated in the adoption of the Convention.

64. The Director of the Division noted that most of the States were simultaneously "producer", "consumer" and "transit" countries and that all States should overcome their difficulties so as to bring their legislations into harmony with the Convention, in order to ensure overall application of its measures as soon as possible.

65. It was noted that, to date, Latin America and the Caribbean was the region with the largest number of ratifying countries. States parties to the Convention represented at the current Meeting were: Bahamas, Bolivia, Canada, Chile, Ecuador, Mexico, Nicaragua, Paraguay, Spain and United States of America.

66. General agreement was expressed at the Meeting on the vital importance of attaining the widest possible application of the Convention in the shortest possible time and, to that end, of encouraging all States in the region that had not yet ratified or acceded to it to accelerate the ratification or accession process.

VI. REPORTS AND STATISTICS OF SIGNIFICANT SEIZURES

67. For its consideration of agenda item 7, on the reporting to the Secretary-General of statistics of significant seizures, the Meeting had before it a background document prepared by the Secretariat on trends in the illicit traffic in the Latin American and Caribbean region (DND/HONLAC/1990/INF.2). The Meeting decided to encourage consideration of the overall situation in respect of illicit drug traffic in the territories of the countries represented.

68. To provide or to supplement information submitted in the country reports received in advance of the Meeting (for a full list, see chap. IX, section E), statements were made by the representatives of Argentina, Aruba, Bahamas, Bolivia, Brazil, Chile, Cuba, Dominica, Ecuador, Jamaica, Mexico, Peru, Saint Lucia and Spain.

69. Several of the reports provided a broad perspective outlining matters relating to drug abuse as well as to illicit trafficking and underlining, in particular, significant developments and seizures. Most emphasized the need for enhanced and strengthened international collaboration.

70. Several representatives stressed the importance of a rapid exchange of information among operational heads of drug law enforcement services. Many reported on subregional and bilateral agreements designed to reinforce action against illicit drug traffic.

71. A number of representatives identified the major drug-related problems in their countries; most noted that many of the problems and issues were common to all countries. Such problems required common solutions, undertaken in concert on the basis of genuine international collaboration. The initiative of the Division of Narcotic Drugs in intensifying such collaboration in Latin America and the Caribbean was recognized with satisfaction.

72. Several representatives noted, in particular, that their geographical location contributed to their role as transit countries. The inescapable link between the demand for illicit drugs and the expanding illicit drug traffic was mentioned by many representatives. The need for a balanced approach and concerted strategy was stressed anew.

73. The representative of the Secretariat outlined the responsibilities of Member States, of the Division on behalf of the Secretary-General and of INCB, in the matter of statistics on illicit cultivation, production, traffic (as indicated by illicit drug seizures), destruction of seized drugs, demand (number of addicts) and related information, provided for by the international drug control conventions. It was the responsibility of Governments to report to the Division as required and the responsibility of the Division to collate the information in the reports and to publish the results.

74. Only five Governments in Latin America and the Caribbean were submitting to the Division regular reports of the required standard. Few Governments in the region had sent reports of significant seizures in their countries, in spite of the requirement that such reports should be submitted regularly and promptly (within at most one month). Regretfully the reports of seizures in 1989 and in the first five months of 1990 that had been received by the Division did not provide an adequate basis for accurately identifying trends that could be useful to drug law enforcement services. Trends and other conclusions extrapolated from irregularly submitted reports from only a few countries of the region would not only be incomplete but could be misleading. For example, although 1989 had shown an increased total amount of cocaine seized in the region compared with 1988, the precise magnitude of such an increase would only be known upon receipt and analysis of many more reports. Similarly a reported increase in heroin seizures in the region had had to be based on submissions from only five Governments.

75. The commitment and responsibility of each country to report individual seizures and annual statistics was recalled at the Meeting. Mention was also made of a current initiative by the United Nations, ICPO/Interpol and CCC to undertake, through a working group, the rationalization and improvement of the statistical services provided by the three organizations.

76. An additional session was conducted with representatives of Member States to seek means of improving the regular and timely submission of reports on illicit traffic. There was general agreement that each Government should identify one office, which would be given the responsibility for collecting at the national level drug-related statistics from all law enforcement services, organizations and ministries. Such a mechanism would facilitate the reporting of statistics. It would also make it easier for the Division to contact any Government on matters involving drug-related statistics. Participants attending the session on the submission of reports agreed to pursue the matter when they returned to their countries.

77. Because the majority of the reports to be sent to the Division concerned illicit drug seizures and thus originated with drug law enforcement services, it was proposed that the enforcement arm of the national co-ordinating unit should be responsible for forwarding reports direct to the Division. Each representative agreed to pursue the matter, using the guidelines and forms provided. The particular problems surrounding the reporting of seizures made in dependent Territories or departments of the United Kingdom of Great Britain and Northern Ireland, the Netherlands and France in the Caribbean were also discussed.

VII. OTHER BUSINESS

78. The Meeting decided unanimously to express special appreciation for the warm hospitality extended by the Government and people of Aruba to all participants, for the preparatory work and support of the National Co-ordinator for the Meeting, and for the leadership of the Chairman and other officers. It also expressed its appreciation of the contributions of the Division of Narcotic Drugs and its Director to the successful outcome of the Meeting.

VIII. ADOPTION OF THE REPORT OF THE MEETING

79. The report was adopted as orally amended at the final plenary meeting on 28 September 1990.

IX. ORGANIZATION OF THE MEETING

80. The Third Meeting of Heads of National Drug Law Enforcement Agencies, Latin America and the Caribbean, was held at Oranjestad, Aruba from 24 to 28 September 1990, at the invitation of the Aruban authorities and the Government of the Netherlands.

A. Opening of the Meeting

81. Opening the meeting on behalf of the Secretary-General, the Director of the Division of Narcotic Drugs recalled that, in the two years since the Second Meeting, considerable expansion in the seizures of cocaine and heroin in the Americas had been reported, reflecting an escalation in the volume of illicit traffic world-wide. The supply of illicit drugs had to be combated in all areas, and intensified efforts to reduce the illicit demand for drugs. The Division of Narcotic Drugs had been promoting increased emphasis on the reduction of illicit demand as part of a balanced strategy covering all aspects relating to drug abuse and the illicit traffic that fed it. The Division had also promoted the enhancement of regional and interregional co-operation, and a global network of regional co-operation mechanisms was in place, covering all regions of the world. The United Nations Convention against Illicit Traffic in Narcotic Drugs and Psychotropic Substances had been adopted in 1988. It constituted the most far-reaching and effective legal instrument for international drug control.

82. The Convention, which to date had received 25 ratifications or accessions, was to enter into force on 11 November 1990. The Director urged all countries represented at the Third Meeting that had not yet ratified it to expedite the

ratification procedure in order to accelerate the universal application of the Convention. That could bring about the reversal of the illicit traffic trends of recent years and make it possible to start the next millennium in a better position to reduce and ultimately eliminate drug abuse.

83. The Minister of Justice of Aruba welcomed all participants on behalf of the Government and people of Aruba. He underlined the fact that the meeting would provide an opportunity for the exchange of ideas and techniques, for discussion of mutual problems and for learning from the experiences of others to help meet the difficulties stemming from drug-related crime. He expressed confidence that the Meeting would contribute to the promotion of the United Nations' aims and objectives in combating drug abuse, an epidemic that destroyed citizens, undermined institutions and endangered domestic tranquillity. He stressed the need to use modern technology to combat not only the symptoms but also the causes of drug abuse. Noting that participants represented a cross-section of many cultures, he urged increased co-operation through the free exchange of information and through unification in a partnership stretching across the oceans to prevent and combat drug abuse and suppress illicit drug traffic.

84. The Commissioner of Police of Aruba, also speaking at the opening meeting, said that, as the highest police authority of the island, responsible for its drug control laws, he had to acknowledge that the problem was of such magnitude that it required international collaboration. While Aruba was mainly used for transit, the local abuse of drugs could not be ignored. Another problem shared with other participating Heads of National Drug Law Enforcement Agencies was the lack of adequate resources, including technical equipment, trained staff and sufficient funding. He said Aruba wholeheartedly supported the United Nations initiatives of seeking practical workable solutions to common problems. He called for unity and international co-operation in taking action against the common enemy of drug abuse and illicit traffic.

B. Attendance

85. The following States members of the Economic Commission for Latin America and the Caribbean were represented: Argentina, Bahamas, Bolivia, Brazil, Canada, Chile, Colombia, Cuba, Dominica, Ecuador, France, Guatemala, Jamaica, Mexico, Netherlands, Paraguay, Peru, Saint Lucia, Spain, United Kingdom of Great Britain and Northern Ireland, United States of America, Uruguay and Venezuela.

86. The following associate members were represented: Aruba, the British Virgin Islands and the Cayman Islands.

87. INCB and the United Nations Fund for Drug Abuse Control were represented as observers. ICPO/Interpol was also represented as observer.

88. The Division of Narcotic Drugs served as the secretariat of the Meeting.

C. Election of officers

89. The Third Meeting of Heads of National Drug Law Enforcement Agencies, Latin America and the Caribbean, elected by acclamation the following officers:

Chairman:	Hendrick S. Croes (Aruba)
First Vice-Chairman:	Gonzalo Torrico (Bolivia)
Second Vice-Chairman:	Mario A. Cueva (Mexico)
Third Vice-Chairman:	Arturo Pellet Lastra (Argentina)
Rapporteur:	Leslie D. Harper (Jamaica)

D. Adoption of the agenda

90. At its 1st meeting, the Third Meeting of Heads of National Drug Law Enforcement Agencies, Latin America and the Caribbean, adopted the following agenda:

1. Election of officers.

2. Adoption of the agenda.

3. Consideration of urgent matters or specific topics by subregional or ad hoc working groups.

4. Training in the Latin American and the Caribbean region: priorities, facilities and modalities.

5. Reports on activities by United Nations programmes and entities, specialized agencies and intergovernmental organizations in the region.

6. Progress report on steps taken to apply provisionally, ratify or accede to the United Nations Convention against Illicit Traffic in Narcotic Drugs and Psychotropic Substances as well as the harmonization of national legislation with the provisions of the Convention.

7. Reporting on statistics of significant seizures to the Secretary-General.

8. Other business:

   (a) Seventeenth special session of the General Assembly;

   (b) Urgent matters arising out of the country reports.

E. Documentation

91. The documents before the Third Meeting of Heads of National Drug Law Enforcement Agencies, Latin America and the Caribbean, as well as material distributed during the meeting, are listed in the annex. Country reports were received from: Argentina, Aruba, Bahamas, Bolivia, Brazil, Canada, Cayman, Cuba, France, Ecuador, Guatemala, Jamaica, Mexico, Netherlands, Peru, Saint Lucia, Spain, Uruguay, United States of America, Venezuela.

Annex

LIST OF DOCUMENTS BEFORE HONLEA, LATIN AMERICA AND THE CARIBBEAN AT ITS THIRD MEETING

Document	Title
DND/HONLAC/1990/1	Provisional agenda
DND/HONLAC/1990/1/Add.1	Annotations to provisional agenda
DND/HONLAC/1990/2	Reports on United Nations programmes
DND/HONLAC/1990/3	Application of United Nations Convention against Illicit Traffic in Narcotic Drugs and Psychotropic Substances
DND/HONLAC/1990/CRP.1	Provisional timetable
DND/HONLAC/1990/INF.1/Rev.1	Revised provisional list of participants
DND/HONLAC/1990/INF.2	Data on illicit traffic
DND/HONLAC/1990/L.1 and Add.1-4, Add.4A and Add.5-13)	Draft report
DND/HONLAC/1990/L.2-7	Draft resolutions
DND/HONLAC/1990/CRP.2-24	Country papers submitted by delegations